

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
AUG 23 2007
JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

GEANNA FRANCES SCOTT-FLAX,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

Civil Action No. 5:06CV00101

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

This case is before the court on the objection of defendant, Michael J. Astrue, to the Magistrate Judge's report setting forth proposed findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The court has reviewed the administrative record, the Magistrate Judge's report, and defendant's objections to that report and the court concludes that the Magistrate Judge's recommendation is correct and adopts the recommendation.

Accordingly, it is **ORDERED** and **ADJUDGED** that defendant's motion to dismiss is **DENIED**, the final decision of the Commissioner is **VACATED**, the case is **REMANDED** to the Commissioner for further proceedings in which both parties may introduce additional evidence, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This August 23, 2007.

[Signature]

UNITED STATES DISTRICT JUDGE